

10-3-5

RLF  
JFW



Atty. Dkt. No. 056859-0137

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Indra SANDAL et al.  
  
Title: TRANSGENIC TEA  
THROUGH BIOLISTIC  
USING LEAF EXPLANTS  
  
Appl. No.: 10/051,383  
  
Appl. Filing Date: 1/22/2002  
  
Examiner: Georgia L. Helmer  
  
Art Unit: 1638

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 423499761 US	9/30/05
(Express Mail Label Number)	(Date of Deposit)
CHARLES J. SCHRECK	
(Printed Name)	
Charles J. Schreck	
(Signature)	

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. § 1.114:**

Enclosed are:

- [ X ] Amendment Under 37 C.F.R. § 1.114 (9 pages);
- [ X ] Declaration under 37 C.F.R. § 1.132 (2 pages); and
- [ X ] Exhibit A and Exhibit B (1 page each).

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	-	54	= 0	x \$50.00	= \$0.00
Independents	1	-	3	= 0	x \$200.00 = \$0.00
First presentation of any Multiple Dependent Claims:				+ \$360.00	= \$0.00
CLAIMS FEE TOTAL:					= \$790.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00		\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00		\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00		\$2,160.00
EXTENSION FEE SUBTOTAL:			\$2,160.00
EXTENSION FEE ALREADY PAID:			- \$0.00
EXTENSION FEE TOTAL			\$2,160.00
CLAIMS AND EXTENSION FEE TOTAL:			\$2,950.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$2,950.00

☒ A check in the amount of \$2,950.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated,

RCE Transmittal  
U.S. Appl. No.: 10/051,383

Atty. Dkt. No. 056859-0137

otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date September 30, 2005

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5483  
Facsimile: (202) 672-5399

By V. S. Mohan  
# 55,459 V. MOHAN - RAM  
for: Richard C. Peet  
Attorney for Applicant  
Registration No. 35,792